

I'm very concerned with the rule that is going into affect on August 25th dealing with the broad "do not call" issue - and I am not with a telemarketing firm. I run a trade association that regularly communicates with its members. They choose to belong to us by renewing their dues each year. Yet my understanding of the new regulations is that you are taking away the "established business relationship" exception to the "do not call" rules and will be placing onerous requirements on my association, and thousands of associations across the country, that need to regularly communicate with our members.

My points are as follows:

- 1) that removing the "established business relationship" qualification from the fax regulations is absolutely bad for business, forcing associations and other companies to obtain the written consent of their own members, clients and industry partners before transmitting any fax that could be interpreted as commercial in nature;
- 2) that the association community has already raised numerous concerns about the new regulations that remain a subject of speculation, including exactly which transmissions the FCC would interpret as commercial in nature, whether written consent to a national association would extend to chapter or affiliate faxes, and whether a written consent form would expire with membership, for example.

My members already have ways of letting me know how they want to be communicated with. They voice their preferences often. And if they ultimately don't like what we're doing, they will resign their membership - the ultimate choice, and one that places a significant care already on associations to communicate effectively with our members. No additional requirement should be imposed.

I hope you will reconsider this rule change and at least put a stay in place of the August 25 effective date until you have had a chance to look at these issues more closely.

Dave Nielsen
CEO
Home Builders Association of Metro Portland